IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

Bail Appl..No. 5389 of 2007()

CMP.3965/2007 of J.M.F.C.,THIRUVALLA
EXCISE C.R. NNO.30/07 OF MALLAPPALLY EXCISE.
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PETITIONER : ACCUSED

JOSHI @ AJI, S/O.CHACKO,
URIAKKUNNATHU HOUSE, MALLAPPALLY,
KEEZVAIPUR P.O.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS:
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1. THE EXCISE INSPECTOR,
MALLAPPALLY EXCISE RANGE.

2. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.5389 of 2007

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Dated this the 7th day of September, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 5 litres of arrack on 13.08.2007. He continues in custody from that date.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions. The learned Public Prosecutor submits that there is no history of any criminal antecedents.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall execute a bond for Rs. 25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

sj